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E.O. 12958: N/A
TAGS: [EWWT](#) [KCRM](#) [MOPS](#) [PBTS](#) [PHSA](#) [PTER](#)
SUBJECT: CONTACT GROUP ON SOMALI PIRACY ISSUES FOR
CONSIDERATION

REF: STATE 133199

SUMMARY

¶1. This is an action request. Per Ref A, action addressees are invited to the inaugural meeting of the Contact Group on Somali Piracy (CGSP) in New York on January 13-14, 2009. To better prepare its participants, the Department requests that posts solicit feedback from host governments on discussion issues posed in this cable, and on the goals and objectives within the attached draft communique.

OBJECTIVES

FOR ALL ADDRESSEES:

¶2. Posts are requested to engage host governments to pursue the following objectives:

- Brief on the draft agenda.
- Welcome feedback on Issues to Consider (para 4).
- Brief on the proposed meeting communique and solicit feedback.

AGENDA

¶3. Draft agenda follows:

Tuesday, January 13, 2008

1830-2000: Reception) Hosted by Ambassador Karen
Pierce,
the United Kingdom Deputy PERMREP to the
UN,
510 Park Avenue, Apartment 11A, New York City
RSVP not required.

Wednesday, January 14, 2008

Location: United Nations Building Conference Room 1

0730) 0830: Registration and Coffee
0830) 0900: Introductory Comments and brief Situation
Update
0900) 1030: Review of UNSC Resolutions and Contact Group
Objectives and Modalities, followed by remarks by
Contact Group members/observers desiring to speak
(3 min per intervention)
1030) 1230: Discussion of Communiqu Focus Areas 1, 2
and 3:

1) Improving operational and intelligence support
to counter-piracy operations.
2) Establishing a counter-piracy coordination
mechanism.
3) Strengthening judicial frameworks for
arrest,
prosecution and detention of pirates.

1230) 1330: Lunch (provided)

1330 - 1530: Discussion of Communiqu Focus Areas 4, 5
and 6:

4) Strengthening commercial shipping
self-awareness and other capabilities.
5) Pursuing improved diplomatic and public
information efforts.
6) Disrupting pirate financial operations.

1530) 1630: CGSP Governing Structure, Support, Next
Steps;
CGSP Meeting Communiqu and Concluding Remarks
1630: Press Availability

ISSUES TO CONSIDER

14. It would be helpful if participants would come prepared to
discuss the following questions:

Focus Area 1. Improving operational and intelligence support
to counter-piracy operations.
-- Need for additional surveillance and intelligence in the
region.
-- Regional organizations to work with Horn of Africa states
and/or the African Union on maritime capacity building.
-- Willingness to provide or increase military assets.
-- Synchronization of maritime assets to ensure uninterrupted
presence and capability.
-- Development of operational concepts to seize and dispose
of boats, vessels, arms and other related suspicious
equipment.

Focus Area 2. Establishing a counter-piracy coordination
mechanism.
-- Location and willingness of nations to support and
participate in interim Counter-Piracy Coordination Center
(CPCC).
-- Location and willingness of nations to support and
participate in a regional follow-on CPCC.
-- Integration of non-military missions (industry, judicial)
into the CPCC, and providing better information to maritime
industry.

Focus Area 3. Strengthening judicial frameworks for arrest, prosecution and detention of pirates.

- Extent to which CGSP members have established criminal jurisdiction that covers piracy on the high seas, armed robbery in Somali territorial water, and related acts.
- Circumstances under which CGSP members are in a position to prosecute suspected pirates, from both a policy and capacity point of view; and the extent of financial or other resources CGSP members are able to make available to assist other states with prosecutions.
- For CGSP members participating in naval activities in the Gulf of Aden, the extent to which they have, or are considering concluding, arrangements with states in the region concerning prosecution of suspected pirates.
- For states in the region actively prosecuting suspected pirates, their requirements to strengthen capacity to prosecute and incarcerate, and legal requirements of which other states capturing suspects should be aware such as evidentiary standards.

Focus Area 4. Strengthening commercial shipping self-awareness and other capabilities.

- Additional self-defense measures and commitments that could be taken by the maritime industry.
- Methods for encouraging increased compliance with industry standards.
- Incentives for industry collaboration with the CPCC.

Focus Area 5. Pursuing improved diplomatic and public information efforts.

- Identification of target audiences and intended effects on each.
- Willingness to commit sufficient resources to public diplomacy efforts.

Focus Area 6. Disrupting pirate financial operations.

- Identification of ways and means to gather, assess and share information on pirate finances.
- Enhancement of national and international law enforcement mechanisms and coordination to interdict illicit financial flows and related criminal activity.

COMMUNIQUE

15. The following draft communique may be printed out and shared as follows:

Pursuant to United Nations Security Council Resolution 1851, the Contact Group on Somali Piracy (CGSP) was established on January 14, 2009 to facilitate discussion and coordinate actions between states and organizations to suppress piracy off the coast of Somalia. Participating as founding members were: Australia, China, Denmark, Djibouti, Egypt, France, Germany, Greece, India, Italy, Japan, Kenya, Republic of Korea, The Netherlands, Oman, Russia, Saudi Arabia, Somalia TFG, Spain, Turkey, United Arab Emirates, United Kingdom, United States, and Yemen. Five organizations took part as observers: the African Union, the European Union, the International Maritime Organization, the North Atlantic Treaty Organization (NATO), and the UN Secretariat.

The Contact Group on Somali Piracy notes that piracy off the Horn of Africa grew significantly in 2008, and that attacks on shipping vessels can be expected to increase without enhanced international efforts. In 2008, over 100 attacks, including over 40 successful seizures, have resulted in hundreds of persons taken hostage. The pirates have been demanding million-dollar ransoms for release of the hostages, ships and cargoes. Somali-based piracy disrupts critical humanitarian aid deliveries to Somalia, increases shipping insurance premiums along one of the world's most traveled

routes to near-prohibitive levels, damages littoral economies by forcing the diversion of vessels around the Cape of Good Hope, and raises the prospect of an environmental disaster as ships fall prey to hostile intent. Piracy weakens security and rule of law in Somalia and is a threat to regional stability. As important, piracy is symptomatic of the overall situation in Somalia. As such, piracy issues must be kept in mind as one element of a larger challenge, and international support for organizations such as the U.N. Contact Group on Somalia must be encouraged as well as support for the Contact Group on Somali Piracy.

The Contact Group on Somali Piracy applauds the efforts countries, industry, and regional and international organizations have taken to address the piracy problem. Of particular note, the CGSP applauds the counter-piracy operations that the Combined Maritime Forces (CMF), NATO and the EU have undertaken during the last six months.

The Contact Group on Somali Piracy intends to establish as soon as possible in 2009 a Counter-Piracy Coordination Center (CPCC) in the region, pursuant to UNSCR 1851. Pending the establishment of the CPCC, the Contact Group will look to put interim arrangements in place. The CGSP asks member states, international and regional organizations, and industry to send staff and liaison officers to both the interim and follow-on facilities.

The Contact Group on Somali Piracy agrees that better intelligence is needed in order to address the problem of piracy off the coast of Somalia, and calls on members to contribute additional intelligence and surveillance assets to the region.

The Contact Group on Somali Piracy recognizes the importance of apprehending and prosecuting suspected pirates. The CGSP calls on all parties to implement their obligations under relevant UN Conventions, including the Law of the Sea Convention, and obligations under the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation ("SUA Convention") with respect to establishing jurisdiction and accepting delivery of suspected pirates. The CGSP will examine options for developing other mechanisms to address piracy. The Group welcomes the efforts of the Government of Kenya in particular to support the arrest, prosecution, and disposition of suspected pirates and encourages all members to reach arrangements, as necessary, with countries in the region to facilitate bringing to justice those involved in piracy.

The Contact Group on Somali Piracy applauds the International Maritime Organizations (IMO) establishment of self-defense standards for commercial vessels transiting the region. The CGSP will work with the IMO, shipping industry representatives, and shipping companies to increase the distribution and employment of best practices and threat information.

The Contact Group on Somali Piracy is committed to respecting, and ensuring that its nations, flag vessels respect Somalia's sovereign rights over natural resources in its offshore maritime areas.

CGSP membership includes countries affected by piracy and those nations that are contributing to counter-piracy operations. It is expected that all members will actively participate, as appropriate, in CGSP activities and regularly contribute tangible assistance to counter-piracy activities. The CGSP will consider additional membership requests on a case by case basis.

The CGSP identified six related groups of activities and agrees to establish working groups for each activity area, composed of a smaller sub-set of CGSP members. The working groups will communicate regularly and meet periodically, to coordinate activities in the following focus areas:

Focus Area 1. Improving Operational and Intelligence Support

to Counter-Piracy Operations: The Working Group will assess what additional military and intelligence assets are needed in the region and encourage states to help fill any gaps. At the next CGSP meeting, this Working Group will recommend steps to improve coordination and effectiveness of military operations in the region. It will also encourage the deployment of additional military, and intelligence, surveillance, and reconnaissance (ISR) assets to the region.

Focus Area 2. Establishing a Counter-Piracy Coordination Mechanism: The Working Group will look to put interim arrangements in place to increase information sharing and coordination pending the establishment of a Counter-Piracy Coordination Center (CPCC). The Working Group will provide recommendations on the location of the CPCC (such as Djibouti or another regional location), funding, and structure to be established no later than the end of 2009.

Focus Area 3. Strengthening Judicial Frameworks for Arrest, Prosecution and Detention of Pirates: At the next CGSP meeting, the Working Group will provide recommendations on immediate, practical support the international community can provide to countries in the region currently in a position to prosecute suspected pirates. The Working Group will also work to expand the number of countries in the region that are willing and able to prosecute suspected pirates by means such as helping to build their legal capacity, and by facilitating arrangements, as needed, between such countries and other CGSP members. The Working Group will also examine options for developing other mechanisms to address piracy.

Focus Area 4. Strengthening Commercial Shipping Self-Awareness and Other Capabilities: The CGSP will work with the IMO, shipping industry representatives, and shipping companies to increase the distribution of best practices and threat information. The Working Group will develop mechanisms to support implementation of best practices and compliance with industry standards for shipping operations in high risk piracy areas.

Focus Area 5. Pursuing Improved Diplomatic and Public Information Efforts: The Working Group will develop plans to increase public awareness of the piracy threat, encourage international contributions to counter-piracy operations, and inform audiences of the progress that has been made to combat the piracy problem. The Working Group will focus its outreach efforts on the international community, regional states and actors, and states that share an interest in addressing this issue.

Focus Area 6. Disrupting Pirate Financial Operations: The Working Group will provide advice on the use of national capabilities to gather, assess and share financial information on pirate operations. At the next CG meeting, the Working Group will provide a brief on current intelligence on financing for pirate operations and provide recommendations on gathering, assessing and sharing this information.

The Contact Group on Somali Piracy agreed to establish a small Secretariat in the region, co-located with the Counter-Piracy Coordination Center, and sponsored by the United Nations. The Secretariat will be responsible for scheduling and reporting on the outcomes of meetings of the Contact Group, and with regard to the working groups, scheduling and supporting their meetings, tracking and reporting on their progress, and distributing their findings and recommendations to the Contact Group.

The Contact Group on Somali Piracy recognizes that the international community of interest is far greater than the membership of the CGSP, and pledges to inform the larger community of all significant CGSP conclusions, rationale and activities. It recognizes that effective coordination of activities to eradicate piracy requires coordination among the entire international community, and so remains open to receiving input from CGSP and non-CGSP members.

The Contact Group on Somali Piracy plans to meet again in March 2009 to review the progress and direction of the six working groups. It will consider, at that time, the addition of new members.

REPORTING DEADLINE

¶6. Posts are requested, by no later than January 10, to report any feedback on the agenda, Issues to Consider, and the proposed goals and objectives within the communiqu.

BACKGROUND

¶7. The Contact Group on Somali Piracy (CGSP) will be established by this meeting on January 14 to facilitate discussion and coordinate the activities of states and organizations to suppress piracy off the coast of Somalia pursuant to United Nations Security Council Resolution 1851.

POINTS OF CONTACT

¶8. Department POCs are in PM/PPA: David Glancy at (202) 736-4054, Donna Hopkins at (202) 647-0792, and Evan Foster at (202) 647-0336, or by email.

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